

REMARKS

Claims 2-7, and newly added Claim 8, are pending herein. Claim 1 has been cancelled without prejudice or disclaimer.

1. Claim 4 was objected to for informalities and has now been amended. Therefore, it is respectfully submitted that Claim 4 is in full compliance with the applicable regulations and the objection thereof should be withdrawn.

2. Claims 1-5 were rejected under 35 U.S.C. § 102(b), over Mayer et al. (U.S. Patent 5,322,866); Claims 6 and 7 were rejected under 35 U.S.C. §103(a) over Mayer et al.; and, Claim 4 was rejected under 35 U.S.C. §103(a) over Mayer et al. and Compendium of Food Additives, or "Konjac gum" Konjac Glucomannan. For the reasons discussed below, it is respectfully submitted that Claims 2-8 are allowable over these cited references.

The present invention is directed to a water soluble meat packaging film prepared by solution casting over extrusion of a liquid composition including a uniform mixture of from 65-80 wt. % of polyvinyl alcohol, from 2-20 wt. % of water, and up to 20 wt. % of a non-toxic plasticizing polyol.

An important aspect of the claimed meat packaging film is its ability to swell and dissolve to various degrees in water. In other words, the claimed film is sensitive to water and swells on contact with cold water on the surface of a meat product. As the meat product, such as ham, is cooked and the temperature increases, the film will continue to swell and mold to the meat and will either partially

or fully melt off the meat thereby forming a protein skin. Upon cooling of the meat product, the film will reform but will not bind to the meat and can be easily removed from the product during netting removal. In summary, the claimed meat packaging film is water sensitive and relatively water soluble.

On the other hand, Mayer et al. disclose starch-based biodegradable films that are suitable for biodegradable packaging, agricultural mulch films, disposable diaper liners, and trash bags (see Column 2, lines 51-55 of Mayer et al.).

In Mayer et al., the biodegradable starch-based films are produced under elevated extrusion temperatures, which result in films with a substantial crystalline structure and low moisture content. Accordingly, the Mayer et al films are not water soluble and preferably not sensitive to water, i.e., they will not absorb water or swell during contact with water. The water insolubility of Mayer et al. films is consistent with their end use for applications, such as trash bags and biodegradable packaging, where water solubility is not preferred. In contrast, the claimed meat packaging film is water soluble.

Therefore, it is respectfully submitted that Mayer et al. teach films having properties directly opposite to the properties of the claimed film. Accordingly, it is respectfully submitted that Mayer et al. teach away from the claimed invention. For this reason alone, it is submitted that Claims 2-8 are neither anticipated by nor obvious over Mayer et al.

It is further respectfully submitted that the claimed film has properties specifically suitable for use in meat packaging applications. On the contrary, the Mayer et al. films would not be suitable for use in meat packaging films for at least the following three main reasons:

- 1) They have very low oxygen transmission rates so as not to be able effectively all smoke to penetrate into a meat product during meat production.
- 2) They are relatively moisture intolerant and thus do not expand adequately when applied to wet meat thereby resulting in finished meat product with creases.
- 3) The films are water insoluble and will not swell or melt at relatively low humidity levels as required for films that can be utilized for meat processing applications.

Therefore, Mayer et al. films cannot be used in meat processing applications.

For the foregoing reasons, it is respectfully submitted that Claims 2-8 are neither anticipated by nor obvious over Mayer et al., Compendium of Food Additives, "Gellan gum", and "Konjac gum" Konjac Glucomannan. Accordingly, it is respectfully requested that various rejections under 35 U.S.C. §102(b) and §103(a) over these references be withdrawn.

CONCLUSION

In view of the above, it is respectfully submitted that Claims 2-8 are in condition for allowance. Withdrawal of all the objections and rejections and allowance of these claims are earnestly solicited.

It is believed that no additional fee is due for this submission. However, should that determination be incorrect, the Commissioner is hereby authorized to charge any deficiencies, or credit any overpayment, to our Deposit Account No. 01-0433, and notify the undersigned in due course.

Should the Examiner have any questions or wish to discuss further this matter, please contact the undersigned at the telephone number provided below.

Respectfully submitted,



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